

**OFFICE OF
HEARINGS AND APPEALS**



HUMAN CAPITAL STRATEGY/PLAN, FY'05

OFFICE OF HEARINGS AND APPEALS

HUMAN CAPITAL MANAGEMENT WORKFORCE PLAN

I. Mission

The Office of Hearings and Appeals (OHA) is responsible for conducting hearings, and issuing the initial decision of the Department with respect to any adjudicative proceedings which the Secretary may delegate, except those within the jurisdiction of the Federal Energy Regulatory Commission (FERC) and the Board of Contract Appeals. Jurisdiction encompasses investigations, hearings and appeals of complaints filed under the DOE Contractor Employee Protection Program, and Personnel Security Hearing Officer functions. The Office analyzes and decides appeals requesting review of any determination reached by any other official within the Department under the jurisdiction of the Secretary, including initial determinations under the Freedom of Information Act, the Privacy Act, the payments-equal-to-taxes (PETT) provisions of Nuclear Waste Policy Act of 1982, as amended, the special assessment provisions for the Uranium Enrichment Decontamination and Decommissioning Fund under the Energy Policy Act of 1992, the reimbursement of costs of remedial actions at active uranium or thorium processing sites under the Energy Policy Act of 1992, and the DOE's Competitive Sourcing Initiative under OMB Circular A-76. OHA is responsible for deciding Applications for Exception from the generally applicable requirements of a rule, regulation or order of the Department. It's mission is to conduct fair and efficient hearings and to issue decisions of the Department with respect to any adjudicative proceedings which the Secretary may delegate.

II. Business Vision

The Office of Hearings and Appeals seeks to conduct fair and efficient hearings and to issue high quality decisions for the Department with respect to any adjudicative proceeding that the Secretary of Energy may delegate. Our goal is to promote the lawful and equitable operation of DOE programs by expeditiously processing and fairly resolving the appeals and petitions that are presented to us.

III. Strategic Goals:

- All cases to be adjudicated within regulatory deadlines.
- All Decisions and Orders (not restrained by court ordered confidentiality) will be easily accessible by the public and by OHA stakeholders at the OHA's web site and through the OHA's Docket Room.
- Develop and retain a high performance and diversified workforce.

IV. Human Capital Management Strategy:

OHA's employee talent base, 62% are licensed lawyers, and its small size enables strategic planning to be highly flexible in response to DOE requirements. OHA will continue to employ participative management concepts and utilize informal and linear communication concepts to set general strategic direction and develop management teams to define and execute strategic plans. Accordingly, the OHA will continue to use team-concept initiatives which invariably streamlines the organization. Teams are in place for the Freedom of Information Program, adjudicative proceedings, and resource management for cost-saving goals. It has been noted that team members not only learn the intricacies of the organization because of its crosscutting efforts, but also develop leadership skills based on empiricism. This supports our near-term succession planning efforts of in-house training. In addition, this concept has reduced supervisory ratios. Team leaders will continue to be empowered to have full management accountability. Moreover, participative management will serve as a useful tool in the decision-making process. The senior management core will continue to have oversight responsibility of team activities and progress. There will be no present plans for more changes in span of control because increasing the span of control would not be compatible with rendering proper legal decisions.

V. Workforce Plan

Leadership Succession Planning: The OHA will assess all available leadership programs that are within its funding limit to train employees at the GS11 through 15 level.

The OHA has reserved two slots in the FY 06 Federal Executive Institute program offerings.

The OHA will once again participate in the Departmental Mentor Program for fiscal year 2006.

Diversity: OHA's current workforce diversity statistics indicate that 45% of OHA's positions are occupied by minorities and 50% of its positions are occupied by women. Of the eight leadership positions (SES, Management Officials, and Supervisors), 50% are occupied by minorities and women. The OHA will continue to support the development of minorities and women in its workforce. As mentioned, we have set aside funds for Executive training and are encouraging minorities and women to participate. In addition, the office will continue to:

participate in Departmental diversity student recruitment programs;

advertise for legal and paralegal positions at local colleges and universities to include Howard University and its school of law;

require diversity as key attribute for management core performance plans;

continue to maintain an environment of inclusiveness by holding to such policies as conducting all hands staff meetings and maintaining an open door policy among executive management; and,

fund the DOE online training center to enable employees to enhance their skills at their work stations.

Linkage: The OHA will periodically assess skill gaps and link requirements in human capital with its budget plan for funding and employment levels. As such, the OHA budget is prepared with request for funding and staffing levels that directly reflect its workforce plan and skill gap analysis. And, the FY 06 budget submission included additional funding to support request for additional FTE levels.

For FY 06 all performance plans will continue to be linked to the mission of the office and the Department of Energy's strategic goals.

Knowledge Management: Currently, OHA has desktop capability for every employee to easily retrieve information concerning the office, historical decision and orders, and its mission and function statement. This desktop function is also available to all new employees. In addition, OHA has appointed a senior level employee to the DOE e-government council and is working to extend its linkage of program activities with DOE portals.